

Development Control Committee 2 November 2022

Advertisement Application DC/22/0988/ADV – Dragonfly Hotel, Symonds Road, Bury St Edmunds

Date registered: 3 August 2022 **Expiry date:** 28 September 2022
EOT 09 November 2022

Case officer: Connor Vince **Recommendation:** Refuse application

Parish: Bury St Edmunds **Ward:** Moreton Hall
Town Council

Proposal: Application for advertisement consent - one internally illuminated totem sign

Site: Dragonfly Hotel, Symonds Road, Bury St Edmunds

Applicant: Mr T Osbourn

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

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Background:

This application is presented to the Development Control Committee following consideration at the Delegation Panel on 4 October 2022. It was presented to the Delegation Panel due to the support from Bury St Edmunds Town Council. The application is recommended for REFUSAL.

Proposal:

1. Advertisement consent is sought for one internally illuminated Totem Sign on the southern boundary of the Dragonfly Hotel, Symonds Road, Bury St. Edmunds.
2. The totem sign measures 4.1 metres in height, 0.4 metres in depth and 1.2 metres in width. The sign will be situated on the southern boundary of the hotel site, adjacent to a pedestrian footpath and the exit of Junction 44 of the A14. The sign is internally illuminated, with a luminance of 350cd/m²

Application supporting material:

In support of this advertisement consent application, the following has been provided:

- Application Form
- Location Plan
- Site Plans
- Sign Drawing
- Photo and Signage Colours
- Design Statement

Site details:

3. The application site is situated within designated countryside, situated north of Junction 44 of the A14. Symonds Road runs adjacent to the site to the north. The Church of Latter Day Saints borders the site to the west.
4. A full planning application is currently pending consideration at the site, reference DC/22/0938/FUL for a two storey rear extension, single storey link and additional car parking spaces. Although this application is to be considered independent of the aforementioned planning application, Officers would like to make members aware of the context of the application.

Planning history:

5.

Reference	Proposal	Status	Decision date
DC/18/0948/ADV	Application for Advertisement Consent - 2no. internally illuminated totem signs	Application Withdrawn	10 September 2018
DC/22/0938/FUL	Planning application - a. two storey rear extension with single storey link to	Pending Decision	

form 24 rooms b. 5no.
parking spaces as
amended by plans received
03 August 2022.

SE/06/1419	Planning Application - Renewal - Use of car park for stationing of mobile testing vehicle providing computer based academic tests	Application Granted	4 May 2006
SE/05/1421/P	Planning Application - Use of car park for stationing of mobile testing vehicle providing computer based academic tests	Application Granted	20 May 2005
E/92/1918/A	Provision of two internally illuminated signs on southern and eastern elevations	Application Granted	9 September 1992
E/89/3077/P	Erection of 24 bedroom, 2 storey extension, leisure facilities and offices, and additional car parking	Application Granted	13 November 1989
E/89/1587/P	Outline Application - (i) two storey extension incorporating 24 additional bedrooms and offices; (ii) single storey leisure facility for use by hotel residents only; (iii) addition al car parking area	Application Withdrawn	26 October 1989
E/88/3765/A	Provision of two internally illuminated name signs on south and east elevations of building	Application Refused	16 November 1988
E/88/1795/A	Provision of non- illuminated free standing display sign	Application Refused	16 June 1988
E/87/2310/A	Provision of two internally illuminated fascia signs	Application Refused	5 August 1987
E/87/1747/A	Provision of 3 no. non- illuminated signs as letter dated 3rd April 1987, DE/AR/1073 and amending drawings revised on 7th April 1987	Application Granted	30 April 1987
E/86/1576/P	Erection of hotel and construction of vehicular access	Application Granted	13 May 1986
E/84/1451/P	Erection of hotel with car park and access	Application Granted	16 April 1984

E/83/1508/P	Regulation 5 - Outline Application - Hotel, car park and access XOT agreed 24/03/83	Application Withdrawn	18 April 1983
E/74/2548/P	CONSTRUCTION OF ROADS, SEWERS, RESIDENTIAL DEVELOPMENT, PRIMARY SCHOOL ETC.	Application Granted	3 April 1975

Consultations:

6. **Bury St. Edmunds Town Council:** "That based on information received, Bury St Edmunds Town Council recommends APPROVAL"
7. **Suffolk Highways:** "Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway."
8. **Public Health & Housing:** "I have considered the above application and on behalf of the Private Sector Housing and Environmental Health (PSH & EH) Team can confirm I would have NO OBJECTIONS to the proposed development subject to the conditions below being attached to any permission granted:

Illuminated Sign Hours of Display

The advertisement hereby permitted shall only be illuminated during the following hours:

From 07:00 to 23:00 hours on any day.

Reason: To minimise the impact of the illumination on the locality in the interests of amenity and to limit any distraction road users, in accordance with policies DM2 and DM38 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

The illumination of the advertisement hereby permitted shall comply with the recommendations of the Institution of Lighting Professionals Guidance Note 01/20 Guidance notes for the reduction of obtrusive light and the Professional Lighting Guide 05 (PLG05) The Brightness of Illuminated Advertisements.

Reason: To minimise the impact of the illumination on the locality in the interests of amenity and to limit any distraction road users, in accordance with policies DM2 and DM38 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies

Representations:

9. No comments received.

Policy:

10. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

11. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 and Vision 2031 have been taken into account in the consideration of this application:

NPPF 2021

Core Strategy Policy CS3 Design Quality and Local Distinctiveness

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM38 Shop Fronts and Advertisements

Other planning policy:

12. National Planning Policy Framework (NPPF) 2021

13. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

14. The issues to be considered in the determination of the application are:

- Principle of Development
- Design, Form and Scale
- Amenity and Highways Impacts

Principle of Development

15. Policy CS3 of the St Edmundsbury Core Strategy states that proposals for new development must create and contribute to a high quality, safe and sustainable environment.
16. Policies DM1 and BV1 state that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
17. Policy DM2 states proposals for all development should recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and, where necessary, prepare a landscape/townscape character appraisal to demonstrate and produce designs that respect the character, scale density and massing of the locality.
18. Policy DM5 states that areas designated as countryside will be protected from unsustainable development. Proposals will be permitted where they are directly related to agriculture, forestry, or a commercial equine-related business, and where they recognise the intrinsic character of the countryside, they do not result in a loss of best and most versatile agricultural land and where there will be no significant detrimental impact on the historic environment, landscape, ecology or highway network.
19. The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
20. Regulation 3 of the advertisement regulations state that in determining applications for advertisement consent, local planning authorities may only consider amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. Other matters such as misleading claims or potential offence to public morals are not relevant in the determination of such applications.
21. Policy DM38 (Shop Front and Advertisements) states that proposals for advertisements must preserve or enhance the character and appearance of the building or location of which it forms a part, and the street scene in which the proposal is located and must not adversely affect amenity and/or public safety. In addition, Policy DM2 also seeks to ensure advertisements are not unduly large or visually jarring and it also requires that such proposals do not undermine prevailing or existing amenity.

Design, Form and Scale

22. The application proposes a 4.1 metre tall by 1.2 metre wide internally illuminated totem sign with a luminance level of 350cd/m² to the south-eastern boundary of the wider Dragonfly Hotel site, which is situated within designated countryside. The sign advertises rapid car charging

points, as well as general hotel information, albeit it should be noted and advised that the content of an advertisement is not material to whether or not it is acceptable.

23. The totem sign would be situated in an elevated position, north of the exit of Junction 44. This area of the site in question is verdant in character with a generally open southern boundary of the application site. Officers acknowledge that the provision of some advertisements in this location might otherwise be acceptable if they were of a more modest scale and not internally illuminated, as well as noting and acknowledging the modest economic benefits that the provision of advertisements would engender. However, and whilst the proposal is not readily visible from the A14 itself, Officers have strong concerns that the provision of an internally illuminated totem sign in this elevated and visually exposed position would unnecessarily detract attention from passing motorists and pedestrians at close quarters to the roundabout to the south in particular.
24. The application site is readily visible from the adjacent roads, with the main building having existing advertisements which are prominent and easily visible within the locality. Officers do not consider that the economic benefits associated with this display are sufficient to outweigh the concerns raised, considering the existing context of the site.
25. Reference is made to the advertisements north-east at Sainsburys and other business/industrial units. Whilst the advertisements at Sainsburys in particular are duly noted, the roundabout and junction adjacent to the application site in particular is not considered comparable as any existing advertisement paraphernalia in this location is negligible. The signage for Sainsburys is located at the vehicular entrance to the car park, where signage of such a scale and design would normally be considered reasonable. In this case, the signage proposed is remote from the building or the vehicular access, thereby leading to an exposed and prominent sign, that will increase the extent of advertisement clutter in the locality, proving harmful to the character and appearance of the site and area.
26. For clarity, the totem sign towards the entrance of Sainsburys to the north-east is internally illuminated, measures 4.5 metres in total height and was consented as part of application DC/17/0063/ADV. Furthermore, a previous application at the current Dragonfly Hotel site proposed two internally illuminated signs (one in a very similar location to the currently proposed) as part of DC/18/0948/ADV. Concerns were raised by officers and local ward members at the time regarding the adverse visual impacts the advertisements would introduce to the locality. The application was eventually withdrawn by the applicant.
27. Officers therefore consider that the application, on balance, is contrary to the provisions of Policy DM2 by reason of its scale, elevated position and internally illuminated nature. Officers have been unable to negotiate an acceptable alternative scheme.

Amenity and Highways Impacts

28. No residential properties are within close proximity to the location site and specifically not close to the location of the proposed advertisement.

Therefore, no adverse residential amenity impacts are considered to arise as a result of the proposed development.

29. The Highway Authority do not object to the application, but Officers maintain strong reservations regarding visual amenity as a result of the proposal, as detailed in the paragraphs above. The totem sign is not considered to be appropriate to the locality, with the aforementioned concerns exacerbated by its enlarged scale, location remote from the main hotel, and by its illuminated nature.

Conclusion:

30. In conclusion, whilst it is acknowledged that there are some economic benefits associated with the advertisements of the Hotel and its provisions, alongside the lack of objection from the Highway Authority, Officers do not consider the large scale, elevated position and illuminated nature of the advertisement to be acceptable when considered in relation to what is generally an open aspect of the site with a generally verdant character. It is considered that the advertisement consent application fails to comply with the relevant policies of the development plan and is recommended for refusal.

Recommendation:

31. It is recommended that advertisement consent be **REFUSED** for the following reason:

1. Policy DM38 (Shop Front and Advertisements) states that proposals for advertisement must preserve or enhance the character and appearance of the building or location of which it forms a part, and the street scene in which the proposal is located and must not adversely affect amenity and/or public safety. In addition, Policy DM2 also seeks to ensure advertisements are not unduly large or visually jarring and it also requires that such proposals do not undermine prevailing or existing amenity.

Whilst it is noted that there are some economic benefits associated with the advertisement of the Hotel and its provisions, alongside the lack of objection from the Highway Authority, it is not considered that the large scale, elevated position and illuminated nature of the advertisement is acceptable when considered in relation to what is an open aspect of the site with a verdant character. It is considered that the advertisement consent application fails to comply with the relevant policies of the development plan.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0988/ADV](https://www.dorsetcouncil.gov.uk/DC/22/0988/ADV)